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Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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I. Introduction

1. On 2 December 2008, the General Assembly adopted resolution 63/51, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control". Paragraph 4 of the resolution invited all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the resolution and requested the Secretary-General to submit a report containing that information to the Assembly at its sixty-fourth session.

2. Pursuant to that request, on 24 February 2009, a note verbale was sent to Member States inviting them to provide information on the subject. The replies received are contained in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Governments

Czech Republic

[Original: English]
[4 June 2009]

The Czech Republic supports and promotes objectives envisaged in the General Assembly Resolution 63/51 Observance of Environmental Norms in the Drafting and Implementation of Agreements on Disarmament and Arms Control.

Arms Control and Disarmament implementation process is being strictly conducted according to the provisions of the relevant Treaties and Agreements and according to the provisions of Act legislative norms of the European Union and the Czech Republic dedicated to the protection of the environment.

El Salvador

[Original: Spanish]
[17 April 2009]

El Salvador has special provisions on the protection, conservation and development of natural resources and the environment in the Environment Act, adopted by the Legislative Assembly on 2 March 1998.

By Executive Decree No. 17 of 21 March 2000, El Salvador also issued the General Regulations on the Environment, developing the Environment Act and facilitating its application and giving effect to international environmental norms established in disarmament and arms limitation agreements and commitments.

El Salvador's Armed Forces have no nuclear weapons or other kinds of weapons of mass destruction. Furthermore, they are following and complying with the criteria for the observance of environmental standards established by the relevant United Nations bodies dealing with disarmament and arms limitation.

The national plan for modernizing and equipping the Armed Forces does not envisage the acquisition of nuclear weapons or any other type of weapons of mass destruction.

The Government of El Salvador will remain dedicated to the international commitments to observe environmental norms in the preparation of disarmament and arms limitation agreements.

Lebanon

[Original: English]
[2 June 2009]

The Ministry of Defence states that Lebanon does not have any arms that affect the environment. Lebanon supports all treaties and conventions related to disarmament, non-proliferation, and respect of environmental standards. Lebanon reiterates its concern over Israel's possession of an arsenal of weapons of mass destruction (WMD), as well as nuclear power.

Mexico

[Original: Spanish]
[4 June 2009]

1. Mexico is aware of the serious impact that weapons of mass destruction — nuclear, biological, chemical or radiological — and other arms, including conventional weapons and their remnants, have on the environment and on international efforts to combat climate change worldwide.

2. Mexico is convinced that disarmament and arms limitation agreements must be prepared and implemented in a way that is compatible with international cooperation in the prevention, control and elimination of possible effects prejudicial to the environment, particularly at the stage where armaments are being stockpiled or destroyed. Consequently, our nation has worked together with international bodies to create and implement multilateral instruments on disarmament and environmental protection.

3. Mexico is concerned that broad areas of land formerly dedicated to farming or livestock-raising, as well as inland and coastal bodies of water and ecosystems in general, are being threatened by pollution from the indiscriminate use of various types of weapons, and by the lack of effective national regulations enabling weapons to be destroyed with the least possible impact on the environment.

4. Mexico does not produce weapons of mass destruction, use or stockpile them, or allow their transit through its territory. In that connection, Congress recently adopted federal legislation to control chemical substances capable of being diverted to the fabrication of chemical weapons, which is intended to reduce unforeseen environmental consequences and to harmonize Mexican law with international legislation in the field.

5. Mexico keeps strict control over the war materiel in the hands of its Armed Forces and has put in place mechanical means of destroying conventional weapons and munitions, while at the same time keeping records of any materiel that has been destroyed.

Spain

[Original: Spanish]
[2 June 2009]

Spanish society is very sensitive to the possible environmental impact of any industrial activity and this is also an important consideration in the implementation of disarmament and arms limitation agreements. In Spain, the environmental norms of the European Union, which have been incorporated into Spanish law and are consequently binding, serve as the benchmark for environmental management.

Below is a description of the procedures Spain follows for the destruction of weapons or ammunition in implementation of the main disarmament and arms limitation agreements to which it is a party.

Destruction of anti-personnel mines: *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Anti-personnel Mine-Ban Treaty)*

The 1997 Anti-personnel Mine-Ban Treaty mandated the destruction of national stockpiles not later than four and one-half years after the deposit of the instrument of ratification.

By adopting Act No. 33/1998 of 5 October on the total prohibition of anti-personnel mines and weapons with similar effects (Official Gazette No. 239 of 6 October 1998), Spain undertook to destroy its arsenal of anti-personnel mines before 7 October 2001. However, the process of destruction was completed 10 months earlier, on 3 October 2000, over two years in advance of the time limit established by article 4 of the Convention.

The destruction of the anti-personnel mines was done by the Spanish company Fabricaciones Extremeñas (FAEX), which guaranteed maximum security and no environmental impact whatsoever, in keeping with the ISO 14000 standard and Council Directive 94/67/EC on the incineration of hazardous waste.

In all, 849,365 mines were destroyed in a record period of 28 months, at the rate of 1,200 a day. The total cost of the operation was €3,228,000, and thus the unit cost amounted only to €3.8. The process began with the dismantling of the mines, and the separation of the explosive charge from the casing and the rest of the components. The explosive was then incinerated in a 450-degree furnace. The resulting gases were next passed through a treatment line in which the heavy metals were separated out and later collected by waste management companies. The end gases were subjected to catalytic oxidation that converted carbon monoxide into carbon dioxide, rendering them harmless to the environment. As evidence of the destruction, the membrane of each mine with the identification number and date of destruction was retained.

Destruction of conventional weapons: *Treaty on Conventional Armed Forces in Europe (CFE Treaty)*

The CFE Treaty, which entered into force in 1992, imposed limits on stockpiles in five categories of conventional weapons, requiring reductions. In the case of Spain, this meant disposing of 371 battle tanks and 87 artillery pieces, a process it completed on 16 November 1995.

Since that date, the reductions have continued in order to offset the new materiel being put into service and ensure that the limits laid down in the five categories of weapons are not exceeded. Furthermore, Spain has embarked on a reduction of its stockpiles that goes beyond the obligations imposed by the Treaty.

Article VIII of the Treaty establishes the reduction options in each of the categories of armaments covered: they can be reduced by conversion for non-military purposes, placement on static display, used for ground instructional purposes or used as ground targets, but the most frequent method is destruction.

The destruction procedures are regulated by the Protocol on Procedures Governing the Reduction of Conventional Armaments and Equipment Limited by the Treaty on Conventional Armed Forces in Europe, which establishes the various ways in which a weapon must be manipulated to be deemed unusable. The Protocol does not, however, impose any environmental regulation; on the contrary, it states that "each State Party shall have the right to use any technological means it deems appropriate".

In the case of Spain, reduction has been contracted out to private firms which, from an environmental standpoint, are subject to the general laws of the State and the specific laws of the autonomous communities in which the reduction takes place.

The process is as follows:

- As a preliminary step, usable components not subject to compulsory reduction under the Treaty are removed from the weapon along with any remaining munitions. This step is carried out by the military units themselves;
- Next, responsibility is turned over to the reduction firm, which must first remove any remaining contaminants, namely, combustible liquids or gases, lubricants or coolants; electric batteries and lighting fixtures; and soot to be cleaned out of closed cycles (with decanting of the waste water). All such contaminants are channelled into the national system for the collection of hazardous substances, whose regulations meet the general criteria established within the European Union context;
- Lastly, the metallic parts are rendered unusable by one of the following procedures: severing, deformation or smashing. Spain has rejected the explosive demolition method, precisely because of the cost to the environment. The metal remnants are used as scrap by the private firms involved, which keep them in partial payment for their services and send them to blast furnaces to be melted down.

Destruction of small arms and light weapons: *Organization for Security and Cooperation in Europe (OSCE) Document on Small Arms and Light Weapons*

Section IV(C)2 of the OSCE Document on Small Arms and Light Weapons provides that "destruction will generally be used to dispose of illicitly trafficked weapons seized by national authorities, once the legal due process is complete".

The above criterion has been extended to apply to arms seized by Spanish troops participating in peace operations. Whenever the number of weapons apprehended is small — and that is more often the case as the crisis situation eases — and it is a problem to store them and not necessarily possible to guarantee proper security, they are rapidly destroyed in accordance with Spain's Arms

Regulations. In the case of pistols or rifles, holes are drilled into the barrel and the essential components of the receiver. Where grenade-launchers or flame-throwers are involved, smashing is used if access to a plant equipped with a hydraulic press is available; otherwise they are cut up with a blow torch. The destroyed elements are listed under the supervision of the chief of the unit and a report on them is submitted to the management of the international organization heading the mission. In addition, ceremonies marking the destruction of the seized arms have on occasion been held in the presence of witnesses and local media.

Furthermore, section IV(C)1 of the OSCE Document on Small Arms and Light Weapons provides that "any small arms identified as surplus to a national requirement should, by preference, be destroyed". In this case, because there is usually a large number of weapons, they are suitably stored. Armament-reduction programmes are then established and, once funded, they are taken over by manufacturing installations managed by the logistic services of the Ministry of Defence or contracted out to private firms listed by the Ministry. The technique ordinarily used is smashing and/or severing with mechanical or hydraulic shears, these being considered the least contaminating methods. Alternatively, exceptionally rigid components are severed using an oxyacetylene torch. In all cases, it is ensured that the weapon and all essential and auxiliary components are rendered unusable. The armament is stricken from the inventory by means of a certificate of destruction drawn up by the board of officers designated for that purpose. Once the weapon has been destroyed, the metallic parts are separated from the rest: wood, plastics, Bakelite, glass, etc. When the various components have been separated, the metal scrap is sent to foundries, while the other residues are taken over by the national waste treatment system.

Destruction of fragmentation weapons: *Convention on Cluster Munitions*

The Convention on Cluster Munitions, signed at Oslo on 3 December 2008, calls for the destruction of national stockpiles of cluster munitions within eight years of its entry into force for each State party. In the case of Spain, the Convention has already been adopted by Parliament and the instrument of ratification will shortly be deposited. However, Spain has already destroyed all such munitions supplied to its Armed Forces, with the exception of those retained for development and training, in accordance with article 3, paragraph 6, of the Convention.

The destruction of all the types of cluster munitions in the hands of the Spanish Armed Forces was done by the Spanish company Fabricaciones Extremeñas (FAEX), which guaranteed maximum security and zero environmental impact, in accordance with the ISO 14001:2004 standard and the Council Directive 94/67/EC for the incineration of hazardous waste.

Between December 2008 and March 2009, a total of 1,950 ESPIN-21 mortar grenades and 1,825 MAT-120 mortar bombs were destroyed, as well as 537 CBU-100, 38 CBU-99B and 385 BME-330B/AP aircraft-launched bombs. The total cost of the operation amounted to €4,911,357.45, with the unit cost, depending on the type of weapon, ranging from €500 for the simplest to €6,000 for the BME-330B/AP bombs.

The industrial process that was followed began with the dismantling of the bombs and the separation of the various components. Inert components (ferric and non-ferric metals, plastics and textiles) were taken out and recycled by the national waste treatment system. Active components were incinerated in an adiabatic

furnace, and the resulting gases were passed through a treatment line in which the heavy metals were separated out for later collection by waste management companies. The end gases were subjected to catalytic oxidation that converted carbon monoxide into carbon dioxide, innocuous to the environment. As evidence of the destruction, a characteristic cluster bomb component was retained, depending on the type of bomb, such as the parachute or the tail cone assembly.

United Arab Emirates

[Original: Arabic]
[29 May 2009]

Introduction

General Assembly resolutions 63/50 and 63/51 address the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control and the promotion of multilateralism in the area of disarmament and non-proliferation, and invite Member States to communicate information on measures they have adopted in these areas.

Measures adopted by the United Arab Emirates to implement the two resolutions

1. Accession to international agreements and treaties:

(a) The United Arab Emirates has acceded to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons;

(b) The United Arab Emirates has acceded to the 1996 Comprehensive Nuclear-Test-Ban Treaty and the Protocol thereto;

(c) In 2003, in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons, the United Arab Emirates concluded a safeguards agreement with the International Atomic Energy Agency;

(d) The United Arab Emirates has acceded to the Convention on the Physical Protection of Nuclear Material;

(e) The United Arab Emirates has acceded to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;

(f) The United Arab Emirates has acceded to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;

(g) The United Arab Emirates has acceded to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

2. Enactment of legislation on monitoring radioactive materials and limiting environmental damage caused by them:

(a) Federal Law No. 1 of 2002 on the regulation and monitoring of radioactive sources and protection against their dangers, as amended by Federal Law No. 20 of 2006;

(b) Federal Law No. 55 of 2004 on basic regulatory guidelines for handling ionizing radiation in the United Arab Emirates;

(c) Federal Law No. 56 on regulatory guidelines for the secure transport of radioactive material in the United Arab Emirates;

(d) Federal Law No. 57 of 2004 on regulatory laws for managing radioactive waste in the United Arab Emirates.

3. The United Arab Emirates has taken part in international conferences, forums and workshops on disarmament and non-proliferation, and held forums on issues related to arms limitation and non-proliferation of weapons of mass destruction.

Conclusion

The United Arab Emirates believes in the settlement of differences among nations through peaceful means and follows the principles of dialogue and negotiation to resolve conflicts between States. The United Arab Emirates calls for the resolution of its dispute with Iran over the return of its occupied islands Abu Musa, the Greater Tunb and the Lesser Tunb on the basis of dialogue and reason through international mediation or the International Court of Justice, in keeping with its commitment to the application of the principles of international law in such matters. The United Arab Emirates calls for the establishment of a Middle East zone free of all weapons of mass destruction (biological, chemical and nuclear).